

DECLARATION AND POWER OF ATTORNEY FOR UTILITY  OR DESIGN  PATENT APPLICATION		Attorney Docket No.	20780-0025
		First Named Inventor	Jeffrey W. RUBERTI et al.
		COMPLETE IF KNOWN	
<input type="checkbox"/> Declaration <input checked="" type="checkbox"/> Declaration Submitted with      Submitted after Initial Initial Filing      Filing (surcharge 37 CFR 1.16(e) required)		Application Serial No.	10/597,688
		Filing Date	August 3, 2006
		Group Art Unit	Unassigned
		Examiner Name	Unassigned

As a below named inventor, I hereby declare that:

My (our) residence, mailing address, and citizenship are as stated below next to my name. I (we) believe I (we) am (are) the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**SYSTEMS AND METHODS FOR CONTROLLING AND FORMING POLYMER GELS**

the specification of which.

☒ was filed on **August 3, 2006** as United States Application Serial Number **10/597,688**

I (we) hereby state that I (we) have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment specifically referred to above. I (we) acknowledge the duty to disclose to the Patent Office all information known by me to be material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information known by me which became available between the filing date of the prior application and the national or Patent Cooperation Treaty (PCT) or international filing date of the continuation-in-part application.

**For Assigned or Obligated to be Assigned Inventions:** By executing this Power of Attorney, I (am)/(we are) allowing PROSKAUER ROSE LLP (the Firm) to prosecute the above-referenced patent application and to prosecute any matters that arise before the Patent Office during the enforceable life of the above-identified application, any patent that issues from this application and any future applications and/or patents, in any country, that claim priority to the above-identified application/patent. Although the Power states that I (am)/(we are) appointing the Firm with "power of attorney" for the sole purpose of prosecuting the matters arising before the Patent Office in connection with the patent and patent application, that appointment is understood solely in light of my (our) nominal interest in the application/ patent. I (we) understand that, despite the use of the phrase "power of attorney," the executed power of attorney does not create any attorney-client relationship between me/us and the Firm, or between the Firm and any other person. The assignee in law or in fact will remain the Firm's sole client with respect to the application and/or patent. Accordingly, the firm understands, and my/our signature on the Power confirms, that the Firm has no attorney - client relationship with Assignor/inventor, or with me/us personally.

I (we) hereby claim foreign priority benefits under 35 U.S.C. 119(e)-(d) or (f); 172 or 365(b) of any foreign application(s) for patent, or inventor's certificate(s), or 365(a) of any Patent Cooperation Treaty (PCT) or international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, or inventor's certificate(s), or of any PCT or international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Claimed	Certified Copy Attached? YES NO
			<input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>

☐ Additional foreign application numbers are listed on a supplemental priority data sheet attached hereto.

I (we) hereby claim the benefit under 35 U.S.C. 119(e) of any United States provisional application(s) listed below.

Application Serial Number(s)	Filing Date (MM/DD/YYYY)	
60/400,899	August 2, 2002	<input type="checkbox"/> Additional provisional application serial numbers are listed on a supplemental priority data sheet attached hereto.

**DECLARATION – Utility or Design Patent Application**

I (we) hereby claim the benefit under 35 U.S.C. 120 of any United States application(s), or 365(c), of any Patent Cooperation Treaty or international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or Patent Cooperation Treaty or international application in the manner provided by the first paragraph of 35 U.S.C. 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56 which became available between the filing date of the prior application and the national or Patent Cooperation Treaty or international filing date of this application.

U.S. Parent Application or PCT Parent Serial Number	Parent Filing Date (MM/DD/YYYY)	Parent Patent Number (if applicable)
PCT/US2005/004773	February 4, 2005	
PCT/US2004/03135	February 4, 2004	
10/771,852	February 4, 2004	
10/631,491	July 31, 2003	

☐ Additional U.S. or Patent Cooperation Treaty or international application numbers are listed on a supplemental priority data sheet attached hereto.

As a named inventor, I (we) hereby appoint(s) the practitioner(s) associated with:

**Customer Number: 61263**

as attorney(s) and/or agent(s) to prosecute and transact all business in the U.S. Patent and Trademark Office in connection therewith. Customer Number 61263 is assigned to Proskauer Rose LLP, 1001 Pennsylvania Avenue, N.W., Suite 400 South, Washington, DC 20004.

As a named inventor, I (we) hereby grant additional Power of Attorney to the attorney(s) and/or agent(s) named below to file and prosecute foreign national applications in any and all countries of the world, regional patent applications under the European Patent Convention and/or international applications under the Patent Cooperation Treaty based upon the patent application identified above, including power to meet all designated office requirements for designated states.


Name	Reg. No.	Name	Reg. No.
David W. Laub	Reg. No. 38,708	Steven M. Bauer	Reg. No. 31,481
David Baltazar	Reg. No. 53,964	Tiffany A. Lavato	Reg. No. 50,180
John P. Isaacson	Reg. No. 33,715	Robert S. Mayer	Reg. No. 38,544
Paul Booth	Reg. No. 40,244	Joseph M. Marala	Reg. No. 55,926
Colin Sandercock	Reg. No. 31,298	Silvana M. Merlino	Reg. No. 44,237
Joseph A. Caporaro, Jr.	Reg. No. 36,471	David G. Miranda	Reg. No. 42,898
Mark A. Catani	Reg. No. 38,720	Kristen H. Neuman	Reg. No. 35,530
Anthony C. Coles	Reg. No. 34,139	Jeremy P. Occek	Reg. No. 50,794
Breda Donovan	Reg. No. 52,828	Kenneth Rubenstein	Reg. No. 30,586
Alan Federbush	Reg. No. 37,819	Erik Saarmaa	Reg. No. 55,634
Todd A. Garety	Reg. No. 51,729	James H. Shalek	Reg. No. 29,749
Noah Goldberg	Reg. No. 54,126	John C. Stellabotte	Reg. No. 47,959
Louis Greco	Reg. No. 41,799	Deborah M. Vernon	Reg. No. 55,699
Charles Gutfman	Reg. No. 29,161	Baldassare Vinti	Reg. No. 43,970
Tzvi Hirsheutl	Reg. No. 56,732	Carolyn E. Whyte	Reg. No. 53,728
Sandra A. Brockman-Lee	Reg. No. 44,045	Scott K. Wilonsky	Reg. No. 56,471

☐ Additional registered practitioners named on supplemental Registered Practitioner Information sheet attached hereto

Direct all correspondence to:

**PROSKAUER ROSE LLP**  
**1001 Pennsylvania Avenue, NW**  
**Suite 400 South**  
**Washington, DC 20004**  
**Tel. No.: (202) 416-6800**  
**Fax No.: (202) 416-6899**

I (we) hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

<b>First Inventor:</b>	<input type="checkbox"/> A petition has been filed for this unsigned inventor		
<b>Name:</b>	Jeffrey W. RUBERTI		
<b>Citizenship:</b>	U.S.A.		
<b>Mailing Address:</b>	47 School Street, Lexington, MA 02421		
<b>Inventor's Signature:</b>		<b>Date</b>	
<b>Second Inventor:</b>	<input type="checkbox"/> A petition has been filed for this unsigned inventor		
<b>Name:</b>	Gavin J. C. BRAITHWAITE		
<b>Citizenship:</b>	United Kingdom		
<b>Mailing Address:</b>	860 Massachusetts Avenue, Unit 850-10, Cambridge, MA 02139-3026		
<b>Inventor's Signature:</b>		<b>Date</b>	11/9/06

# DECLARATION FOR UTILITY OR DESIGN PATENT APPLICATION (37 CFR 1.63)

☐ Declaration Submitted With Initial Filing **OR** ☒ Declaration Submitted after Initial Filing (surcharge (37 CFR 1.16 (e)) required)

Attorney Docket Number	20780-0025
First Named Inventor	Jeffrey W. RUBERTI et al.
<b>COMPLETE IF KNOWN</b>	
Application Number	10/597,688
Filing Date	August 3, 2006
Art Unit	2627
Examiner Name	Unassigned

## I hereby declare that:

Each inventor's residence, mailing address, and citizenship are as stated below next to their name.

I believe the inventor(s) named below to be the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

## SYSTEMS AND METHODS FOR CONTROLLING AND FORMING POLYMER GELS

(Title of the Invention)

the specification of which

☐ is attached hereto

**OR**

☒ was filed on (MM/DD/YYYY) August 3, 2006 as United States Application Number or PCT International

Application Number 10/597,688 and was amended on (MM/DD/YYYY)                      (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?	
				YES	NO
PCT/US2005/004773	WIPO	February 4, 2006	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☒ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

[Page 1 of 2]

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance completing the form, call 1-800-PTO-9199 and select option 2.

**DECLARATION — Utility or Design Patent Application**

Direct all correspondence to: ☒ The address associated with Customer Number: 61263 OR ☐ Correspondence address below

Name

PROSKAUER ROSE LLP

Address

1001 Pennsylvania Avenue, NW, Suite 400 South

City

Washington

State

DC

ZIP

20004

Country

U.S.A.

Telephone

202-416-6800

Email

**WARNING:**

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

**NAME OF SOLE OR FIRST INVENTOR:**☒ A petition has been filed for this unsigned inventor

Given Name (first and middle (if any))

Jeffrey W.

Family Name or Surname

RUBERTI

Inventor's Signature

Date

Residence: City

Lexington

State

MA

Country

U.S.A.

Citizenship

U.S.A.

Mailing Address

47 School Street

City

Lexington

State

MA

Zip

02421

Country

U.S.A.

☐ Additional inventors or a legal representative are being named on the supplemental sheet(s) PTO/SB/02A or 02LR attached hereto.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

**DECLARATION – Supplemental Priority Data Sheet****Foreign applications:**

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?	
				YES	NO
PCT/US2004/03135	WIPO	February 4, 2004	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.